REMARKS/ARGUMENTS

The Examiner is thanked for the indication of allowable subject matter in Claims 20, 21, and 27. Claims 1, 9, 10, 14, 21, 28, 29, 34, 36 and 37 are amended and claims 38-39 are added. Thus, Claims 1-14, 16-17, 21-39 are pending in the application. Note that the amendments to the claims as indicated herein do not add any new matter to this application, but simply claim aspects of the invention more distinctly. Reconsideration of the application in view of the foregoing amendments and following remarks is respectfully requested.

CLAIM OBJECTIONS

Claims 10, 14, and 36 were objected because of some minor typographical informalities. Those claims have been amended to cure those informalities. Accordingly, the Applicants respectfully request that the cited objections be withdrawn.

CLAIM REJECTIONS - 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 9, 18 and 28 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention. This objection is respectfully traversed.

Claim 18 has been canceled and Claims 9 and 28 have been amended to cure the antecedent basis issues. Accordingly, the Applicants respectfully request that the 35 U.S.C. § 112, second paragraph objections be withdrawn.

CLAIM REJECTIONS - 35 U.S.C. § 102

CLAIMS 1-14, 16-17, 21-28, and 24-37

Claims 1-14, 16-17, 21-28, and 24-37 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent Publication No. 2002/0194272 (Zhu). This rejection is respectfully traversed.

In the Final Office Action, the Examiner acknowledged that Claim 20 would be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims. In accordance with this acknowledgement, Applicants have amended independent Claim 1 (from which Claim 20 depends) to incorporate all of the limitations of Claim 20. Independent Claims 34 and 37, which are reasonably analogous to Claim 1, have also been amended to incorporate the limitations of Claim 20. Thus, Applicants submit that independent Claims 1, 34 and 37, as amended, are now in condition for allowance.

Dependent claims 2-14, 16-17, 21-28, and 35-36, where necessary, have been amended to make them read properly in light of the amendments to the independent claims. The Applicants submit that these pending claims are now in condition for allowance.

CLAIMS 29-33

Claims 29-33 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Zhu. This rejection is respectfully traversed.

Amended Claim 29 recites:

A method for enabling an invited user who may not be a registered user of an instant messaging system, said instant messaging system including client side instant message application software, to communicate by instant messaging with an inviting user who is a registered user of the system, the method comprising:
sending an invitation to the invited user that indicates that the inviting user desires to
    communicate with the invited user;

wherein said invitation includes an entry point configured to receive an initial indication
from the invited user that the invited user desires to communicate with the
selected registered user by instant messaging.;

activating said entry point by the invited user, wherein activating said entry point causes
the initial indication that the invited user desires to communicate with the inviting
user by instant messaging to be sent;

receiving the initial indication that the invited user desires to communicate with the
inviting user by instant messaging, wherein the initial indication specifically
identifies the inviting user with whom the guest user desires to communicate;

sending to a client computer system associated with the invited user browser-executable
computer code comprising computer instructions for:

determining whether the client side instant messaging application software
associated with the instant messaging system is installed in the client
computer system; and

in the event it is determined that the client side instant messaging application
software associated with the instant messaging system is not installed in
the client computer system, providing at least limited instant messaging
functionality to the invited user at the client computer system, without
requiring the invited user to download and install the client side instant
messaging application software and without requiring the invited user to
register as a user of the instant messaging system; and

facilitating an instant messaging session between the invited user and the inviting user.

Such a method is neither taught nor suggested by Zhu. More specifically, Zhu does not

teach or suggest "sending an invitation to the invited user that indicates that the inviting user

desires to communicate with the invited user, wherein said invitation includes an entry point

configured to receive an initial indication from the invited user that the invited user desires to

communicate with the selected registered user by instant messaging, and activating said entry

point by the invited user, wherein activiating said entry point causes the initial indication that the

invited user desires to communicate with the inviting user by instant messaging to be sent" as

recited in Claim 29.

Instead, Zhu discloses a system in which "registered members are users that have

registered with the system as being available for connection to other guests or registered

members and therefore can be called by other people. A guest without application software of

the implementation cannot be called by others and can only call registered members." (See Zhu,

¶ 40). In other words, registered members in Zhu cannot call or send invititations to non-

registered users (or guests) to connect to their system. In fact, Zhu states unambiguously that

guest users cannot be called by others, which makes sense in the context of a call service center

system as described by Zhu. The call service center would not want its registered users

contacting guests unless the guests have known problems. The way the Zhu system registered

users become aware of a service problem is when the guests contact the service center. Thus, it

is the guests that initate communications in Zhu. This is clearly different than what is recited in

Claim 29. For at least this reason, the Applicants respectfully note that Claim 29 and its

dependent claims 30-33 are in condition for allowance, and such action is respectfully requested.

CLAIMS 38-40

In the Final Office Action, the Examiner acknowledged that Claims 27 would be

allowable if rewritten in independent form to include the limitations of the base claim and any

intervening claims. The Applicants respectfully has added independent claim 38 to incorporate

all of the limitations of Claim 27 and intervening Claim 26. Thus, Applicants submit that

independent Claims 38 is now in condition for allowance.

Dependent claim 39 depends from Claim 38 and is allowable for similar reasons. Thus,

the Applicants submit that all of the pending claims are now in condition for allowance.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.
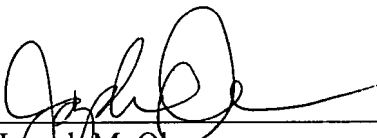
The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

Hickman Palermo Truong & Becker LLP

Dated: _01/18/07_

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